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6

7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Petition to Revoke Probation
Against:

Case No. 2003-30

12 JOLYNN MARIE PERDIKIS, AKA JOLYNN
13 MARIE MCCARTIN
41332 Mission Drive
14 Palmdale, CA 93551

**PETITION TO REVOKE
PROBATION**

15 Registered Nursing License No. 469618

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Petition to
20 Revoke Probation solely in her official capacity as the Executive Officer of the Board of
21 Registered Nursing, Department of Consumer Affairs.

22 2. On or about August 31, 1991, the Board of Registered Nursing (Board)
23 issued Registered Nursing License Number 469618 to Jolynn Marie Perdikis, aka Jolynn Marie
24 McCartin (Respondent). The Registered Nursing License was in effect at all times relevant to the
25 charges brought herein and will expire on May 31, 2009, unless renewed.

26 3. By its disciplinary order, in Board of Registered Nursing Case No. 2003-
27 30, *In the Matter of the Accusation Against Jolynn Marie Perdikis*, the Board issued a decision,
28 effective March 11, 2005, in which Respondent's Registered Nursing License was revoked.

1 However, the revocation was stayed and Respondent was placed on probation for a period of
2 three (3) years with certain terms and conditions. A copy of that decision is attached as
3 Exhibit A and is incorporated by reference.

4 JURISDICTION

5 4. This Petition to Revoke Probation is brought before the Board under the
6 authority of the following laws. All section references are to the Business and Professions Code
7 unless otherwise indicated.

8 STATUTORY PROVISIONS

9 5. Section 2750 provides, in pertinent part, that the Board may discipline any
10 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
11 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

12 6. Section 2764 provides, in pertinent part, that the expiration of a license
13 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
14 licensee or to render a decision imposing discipline on the license.

15 COST RECOVERY

16 7. Section 125.3 provides, in pertinent part, that the Board may request the
17 administrative law judge to direct a licensee found to have committed a violation or violations
18 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
19 enforcement of the case.

20 FIRST CAUSE TO REVOKE PROBATION

21 (Failure to Comply with Board's Probation Program)

22 8. At all times after the effective date of Respondent's probation, Probation
23 Condition No. 3 stated:

24 "CONDITION 3. Comply with the Board's Probation Program. Respondent
25 shall fully comply with the conditions of the Probation Program established by the Board and
26 cooperate with representatives of the Board in its monitoring and investigation of the
27 Respondent's compliance with the Board's Probation Program. Respondent shall inform the
28 Board in writing within no more than 15 days of any address change and shall at all times

1 maintain an active, current license status with the Board, including during any period of
2 suspension."

3 9. Respondent's probation is subject to revocation because she failed to
4 comply with Probation Condition Nos. 8 and 9, as referenced below and incorporated by
5 reference.

6 **SECOND CAUSE TO REVOKE PROBATION**

7 **(Failure to Function as a Registered Nurse)**

8 10. At all times after the effective date of Respondent's probation, Probation
9 Condition No. 8 stated:

10 **"CONDITION 8. Function as a Registered Nurse.** Respondent, during the
11 period of probation, shall engage in the practice of registered nursing in California for a
12 minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

13 "For purposes of compliance with the section. "engage in the practice of
14 registered nursing" may include, when approved by the Board, volunteer work as a registered
15 nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

16 "The Board may require that advanced practice nurses engage in advanced
17 practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined
18 by the Board.

19 "If Respondent has not complied with this condition during the probationary term,
20 and Respondent has presented sufficient documentation of her good faith efforts to comply with
21 this condition, and if no other conditions have been violated, the Board, in its discretion, may
22 grant an extension of Respondent's probation period up to one year without further hearing in
23 order to comply with this condition. During the one year extension, all original conditions of
24 probation shall apply."

25 11. Respondent's probation is subject to revocation because she failed to
26 comply with Probation Condition No. 8, referenced above, by failing to engage in the practice of
27 registered nursing in California during her probationary period for a minimum of 24 hours per
28 week for six continuous months.

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- 1 2. Revoking or suspending Registered Nursing License No. 469618, issued to
2 Respondent;
3 3. Requiring Respondent to pay the Board's costs of investigation and
4 enforcement in this matter; and
5 4. Taking such other and further action as deemed necessary and proper.

6
7 DATED:

February 11, 2009

8 *Ruth Ann Terry, M.P.H., R.N.*
9 *by: Stephen A. Malle, Deputy Clerk*

10 RUTH ANN TERRY, M.P.H., R.N.
11 Executive Officer
12 Board of Registered Nursing
13 Department of Consumer Affairs
14 State of California
15 Complainant

permanently pursuant to the board's authority.

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Exhibit A

Decision and Order, effective March 11, 2005

Board of Registered Nursing Case No. 2003-30

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Jolynn Marie Perdakis
41332 Mission Drive
Palmdale, CA 93551-2800

Registered Nurse License No. 469618

Respondent

Case No. 2003-30

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on March 11, 2005.

IT IS SO ORDERED February 9, 2005.

Sandra R. Erickson

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

BILL LOCKYER, Attorney General
of the State of California
STEPHEN A. MILLS, State Bar No. 54145
Deputy Attorney General
California Department of Justice
300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-2539
Facsimile: (213) 897-2804

Attorneys for Complainant

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:) Case No. 2003-30
JOLYNN MARIE PERDIKIS) OAH No. L-2004010673
aka JOLYNN MARIE MCCARTIN)
and JOLYNN MARIE LEJA) STIPULATED SETTLEMENT AND
41332 Mission Drive) DISCIPLINARY ORDER
Palmdale, CA 93551)
Registered Nursing License No. 469618)
Respondent.)

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings that the following matters are true:

PARTIES

1. Ruth Ann Terry, M.P.H., R.N., (Complainant) is the Executive Officer of
the Board of Registered Nursing. She brought this action solely in her official capacity and is
represented in this matter by Bill Lockyer, Attorney General of the State of California, by
Stephen A. Mills, Deputy Attorney General.

A. A true and correct copy of Accusation No. 2003-30 is attached as
"Exhibit A" and is incorporated by reference.

2. Jolynn Marie Perdikis, aka McCartin and Leja (Respondent) is represented
in this proceeding by Lewin and Levin, Attorneys, by Henry Lewin, Attorney at Law.

1 3. Respondent is aware of her rights to be represented by an attorney or
2 representative at a hearing on the allegations set forth in the Accusation, her right to discovery, to
3 subpoena witnesses and present evidence, the right to reconsideration, appeal to the Superior and
4 Appellate Courts, and any and all rights that may be accorded her pursuant to the Administrative
5 Procedure Act and Code of Civil Procedure.

6 4. Respondent freely and voluntarily waives the aforesaid rights and agrees
7 that the pending charges may be resolved by a stipulated decision by the Board which imposes
8 discipline upon her.

9 5. For purposes of settlement of this matter, Respondent stipulates to the
10 truth of the factual allegations and legal conclusion set forth Accusation No. 2003-30 ,
11 paragraph 11. Said admissions will have no effect or admissibility in any other or collateral
12 proceedings, and are limited to this or any other proceedings between Respondent and the Board
13 of Registered Nursing.

14 6. Pursuant to the foregoing, Respondent stipulates that cause for disciplinary
15 action has been established against her as alleged in Accusation No. 2003-30 .

16 CIRCUMSTANCES IN MITIGATION

17 7. Respondent has been a practicing Registered Nurse in California for over
18 13 years and has never been the subject of any prior disciplinary proceeding. She is a highly-
19 respected nurse with an excellent reputation in her community. The pending Accusation is the
20 result of a single isolated event which occurred nearly four years ago under highly unusual
21 circumstances that are not likely to ever recur, particularly in light of the devastating impact.
22 Respondent's otherwise compassionate conduct in this case has had on her professional career.

23 Respondent's actions in this case were based solely on an altruistic desire to help
24 a long-term patient of her employing physician who was suffering from intractable pain for
25 which she had been prescribed a morphine pump. In November 2000, the patient was admitted
26 to Antelope Valley Hospital under the care of another physician. While hospitalized, the patient
27 called Respondent's employing physician and reported that her pump was empty and her pain
28 had become unbearable. Respondent's employing doctor instructed Respondent to go to the

1 hospital and refill the patient's morphine pump. Respondent complied in good faith, unaware
2 that her employer lacked privileges at that hospital. Prior to refilling the pump, Respondent
3 attempted to locate the patients' attending nurse to discuss the situation, however, she was
4 unavailable. After refilling the pump, Respondent printed the telemetry readings confirming the
5 dosage and time of the refill and left them at the nurse's station to be reviewed and placed in the
6 hospital chart. The patient expressed her great appreciation for Respondent's compassionate
7 actions and suffered no harm as a result. Upon further reflection, Respondent recognizes the
8 shortcomings of her behavior and has not and will not engage in similar conduct.

9 8. It is understood by Respondent that in deciding whether to adopt this
10 Stipulation, the Board of Registered Nursing may receive oral and written communication from
11 the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify
12 the Board of any other persons from future participation in this or any other matter affecting
13 Respondent. In the event this settlement is not adopted, except for this paragraph, which shall
14 remain in effect.

15 9. In consideration of the foregoing, the parties agree that the Board may,
16 without further notice or formal proceeding, issue and enter the following order:

17 **DISCIPLINARY ORDER**

18 IT IS HEREBY ORDERED that Registered Nurse License No. 469618 issued to
19 Respondent Jolynn Marie Perdakis is revoked. However, the revocation is stayed and
20 Respondent is placed on probation for three (3) years on the following terms and conditions:

21 1. **Severability Clause.** Each condition of probation contained herein is a
22 separate and distinct condition. If any condition of this Order, or any application thereof, is
23 declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all
24 other applications thereof, shall not be affected. Each condition of this Order shall separately be
25 valid and enforceable to the fullest extent permitted by law.

26 2. **Obey All Laws.** Respondent shall obey all federal, state, and local laws.
27 A full and detailed account of any and all violations of law shall be reported by Respondent to
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1 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
2 compliance with this condition, Respondent shall submit completed fingerprint forms and
3 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
4 as part of the licensure application process. Respondent shall submit a recent 2" x 2" photograph
5 of herself within 45 days of the effective date of the final decision.

6 3. **Comply with the Board's Probation Program.** Respondent shall fully
7 comply with the conditions of the Probation Program established by the Board and cooperate
8 with representatives of the Board in its monitoring and investigation of the Respondent's
9 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
10 within no more than 15 days of any address change and shall at all times maintain an active,
11 current license status with the Board, including during any period of suspension.

12 4. **Report in Person.** Respondent, during the period of probation, shall
13 appear in person at interviews/meeting as directed by the Board or its designated representatives.

14 5. **Residency, Practice, or Licensure Outside the State.** Periods of
15 residency or practice as a registered nurse outside of California shall not apply toward a reduction
16 of this probation time period. Respondent's probation is tolled, if and when she resides outside
17 of California. Respondent must provide written notice to the Board within 15 days of any change
18 or residency or practice outside the state, and within 30 days prior to re-establishing residency or
19 returning to practice in this state.

20 6. **Submit Written Reports.** Respondent, during the period of probation,
21 shall submit or cause to be submitted such written reports/declarations and verification of actions
22 under penalty of perjury, as required by the Board. These reports/declarations shall contain
23 statements relative to Respondent's compliance with all the conditions of the Board's Probation
24 Program. Respondent shall immediately execute all release of information forms as may be
25 required by the Board or its representatives.

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RECEIVED

1 7. **Provide Decision.** Respondent shall provide a copy of this Decision to
2 the nursing regulatory agency in every state and territory in which she has a registered nurse
3 license.

4 8. **Function as a Registered Nurse.** Respondent, during the period of
5 probation, shall engage in the practice of registered nursing in California for a minimum of 24
6 hours per week for 6 consecutive months or as determined by the Board.

7 For purposes of compliance with the section, "engage in the practice of registered
8 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
9 work in any non-direct patient care position that requires licensure as a registered nurse.

10 The Board may require that advanced practice nurses engage in advanced practice
11 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
12 Board.

13 If Respondent has not complied with this condition during the probationary term,
14 and Respondent has presented sufficient documentation of her good faith efforts to comply with
15 this condition, and if no other conditions have been violated, the Board, in its discretion, may
16 grant an extension of Respondent's probation period up to one year without further hearing in
17 order to comply with this condition. During the one year extension, all original conditions of
18 probation shall apply.

19 9. **Employment Approval and Reporting Requirements.** Respondent
20 shall obtain prior approval from the Board before commencing or continuing any employment,
21 paid or voluntarily, as a registered nurse. Respondent shall cause to be submitted to the Board all
22 performance evaluations and other employment related reports as a registered nurse upon request
23 of the Board.

24 Respondent shall provide a copy of this Decision to her employer and immediate
25 supervisors prior to commencement of any nursing or other health care related employment.

26 In addition to the above, Respondent shall notify the Board in writing within
27 seventy-two (72) hours after she obtains any nursing or other health care related employment.
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1 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
2 terminated or separated, regardless of cause, from any nursing, or other health care related
3 employment with a full explanation of the circumstances surrounding the termination or
4 separation.

5 10. **Supervision.** Respondent shall obtain prior approval from the Board
6 regarding Respondent's level of supervision and/or collaboration before commencing or
7 continuing any employment as a registered nurse, or education and training that includes patient
8 care.

9 Respondent shall practice only under the direct supervision of a registered nurse,
10 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
11 methods of supervision and/or collaboration (e.g. with an advanced practice nurse or physician)
12 are approved.

13 Respondent's level of supervision and/or collaboration may include, but is not
14 limited to, the following:

15 (a) Maximum - The individual providing supervision and/or collaboration is
16 present in the patient care area or in any other work setting at all times.

17 (b) Moderate - The individual providing supervision and/or collaboration is in
18 the patient care unit or in any other work setting at least half the hours Respondent works.

19 (c) Minimum - The individual providing supervision and/or collaboration has
20 person-to-person communication with Respondent at least twice during each shift worked.

21 (d) Home Health Care - If Respondent is approved to work in the home
22 health care setting, the individual providing supervision and/or collaboration shall have person-
23 to-person communication with Respondent as required by the Board each work day. Respondent
24 shall maintain telephone or other telecommunication contact with the individual providing
25 supervision and/or collaboration as required by the Board each work day. The individual
26 providing supervision and/or collaboration shall conduct, as required by the Board, periodic,
27 onsite visits to patient's homes visited by Respondent with or without Respondent present.
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1 11. **Employment Limitations.** Respondent shall not work for a nurse's
2 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
3 traveling nurse, or for an in-house nursing pool.

4 Respondent shall not work for a licensed home health agency as a visiting nurse
5 unless the registered nursing supervision and other protections for home visits have been
6 approved by the Board. Respondent shall not work in any other registered nursing occupation
7 where home visits are required.

8 Respondent shall not work in any health care setting as a supervisor of registered
9 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
10 nurses and/or unlicensed assistive personnel on a case-by-case basis.

11 Respondent shall not work as a faculty member in an approved school of nursing
12 or as an instructor in a Board approved continuing education program.

13 Respondent shall work only on a regularly assigned, identified and predetermined
14 worksite(s) and shall not work in a float capacity.

15 If Respondent is working or intends to work in excess of 40 hours per week, the
16 Board may request documentation to determine whether there should be restrictions on the hours
17 of work.

18 12. **Complete a Nurse Course(s).** Respondent, at her own expense, shall
19 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
20 than six months prior to the end of her probationary term.

21 Respondent shall obtain prior approval from the Board before enrolling in the
22 course(s). Respondent shall submit to the Board the original transcripts or certificates of
23 completion for the above required course(s). The Board shall return the original documents to
24 Respondent after photocopying them for its records.

25 13. **Cost Recovery.** Respondent shall pay to the Board costs associated with
26 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
27 amount of four thousand dollars (\$4,000.00). Respondent shall be permitted to pay these costs in
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1 a payment plan approved by the Board, with payments to be completed no later than three
2 months prior to the end of the probation term.

3 If Respondent has not complied with this condition during the probationary term,
4 and Respondent has presented sufficient documentation of her good faith efforts to comply with
5 this condition, and if no other conditions have been violated, the Board, in its discretion, may
6 grant an extension of Respondent's probation period up to one year without further hearing in
7 order to comply with this condition. During the one year extension, all original conditions of
8 probation will apply.

9 14. **Violation of Probation.** If Respondent violates the conditions of her
10 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
11 aside the stay order and impose the stayed discipline (revocation/suspension) or Respondent's
12 license.

13 If during the period of probation, an accusation or petition to revoke probation has
14 been filed against Respondent's license or the Attorney General's Office has been requested to
15 prepare an accusation or petition to revoke probation against Respondent's license, the
16 probationary period shall automatically be extended and shall not expire until the accusation of
17 petition has been acted upon by the Board.

18 15. **License Surrender.** During Respondent's term of probation, if she ceases
19 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
20 probation, Respondent may surrender her license to the Board. The Board reserves the right to
21 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
22 take any other action deemed appropriate and reasonable under the circumstances, without
23 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
24 will no longer be subject to the conditions of probation.

25 Surrender of Respondent's license shall be considered a disciplinary action and
26 shall become a part of Respondent's license history with the Board. A registered nurse whose
27 / /
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1 license has been surrendered may petition the Board for reinstatement no sooner than the
2 following minimum periods from the effective date of the disciplinary decision:

3 (1) Two years for reinstatement of a license that was surrendered for any
4 reason other than a mental or physical illness;

5 (2) One year for a license surrendered for a mental or physical illness.


6 16. Termination of Probation - Upon the satisfactory compliance with terms
7 and conditions of probation, Respondent's license shall be restored in full force and effect.

8 17. Execution of Signatures - It is understood and agreed that facsimile
9 copies of this Stipulation, including signatures, may be treated as the original document and
10 signatures and that the signatures may be signed sequentially.

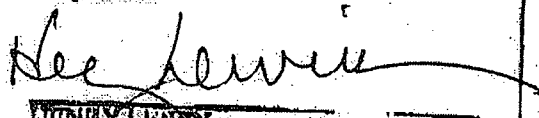
11 **ACCEPTANCE**

12 I have carefully read the Stipulated Settlement and Disciplinary Order. I
13 understand the stipulation and the effect it will have on my registered nurse license. I enter and
14 agree to be bound by the Decision and Order of the Board of Registered Nursing.

15
16 DATED: 9-7-04


JOLYNN MARIE PERDIKIS
Respondent

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18 Approved as to form


HENRY LEWIN
Attorney for Respondent

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20 DATED: 9-8-04

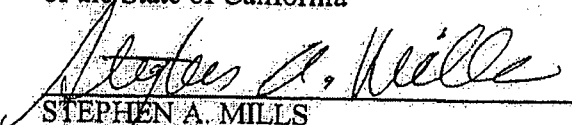
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1 **ENDORSEMENT**

2 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
3 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
4 Affairs.

5
6 DATED: September 8, 2004

7 BILL LOCKYER, Attorney General
8 of the State of California

9 
10 STEPHEN A. MILLS
11 Deputy Attorney General

12 Attorneys for Complainant
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EXHIBIT A

1 BILL LOCKYER, Attorney General
of the State of California
2 STEPHEN A. MILLS, State Bar No. 54145
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
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5 Facsimile: (213) 897-2804
6 Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:	Case No. 2003-30
12 JOLYNN MARIE PERDIKIS 13 aka JOLYNN MARIE MCCARTIN and JOLYNN MARIE LEJA 41332 Mission Drive 14 Palmdale, CA 93551 15 Registered Nursing License No. 469618 16 Respondent.	ACCUSATION

17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
21 Department of Consumer Affairs.

22 2. On or about August 31, 1991, the Board of Registered Nursing issued
23 Registered Nursing License No. 469618 to Jolynn Marie Perdikis, aka Jolynn Marie McCartin
24 and Jolynn Marie Leja (Respondent). The Registered Nursing License was in full force and
25 effect at all times relevant to the charges brought herein and will expire on May 31, 2005,
26 unless renewed.

27 ///

28 ///

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 states, in pertinent part:

"Every certificate holder or licensee, including licensees holding temporary licenses, or licensees holding licenses placed in an inactive status, may be disciplined as provided in this article [article 3 (commencing with section 2750)]. As used in this article, 'license' includes certificate, registration, or any other authorization to engage in the practice regulated by this chapter [chapter 6 (commencing with section 2700)]."

5. Section 2764 states:

"The lapsing or suspension of a license by operation of law or by order or decision of the board or a court of law, or the voluntary suspension of a license by a licentiate shall not deprive the board of jurisdiction to proceed with any investigation of or disciplinary proceeding against such license, or to render a decision suspending or revoking such license."

6. Section 2811, subdivision (b), provides in pertinent part, that each license not renewed in accordance with that section shall expire, but may within a period of eight years thereafter, be reinstated.

7. Section 2761 states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

8. Section 118, subdivision (b), states:

"The expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the

1 board of its authority to institute or continue a disciplinary proceeding against the licensee
2 upon any ground provided by law or to enter an order suspending or revoking the license or
3 otherwise taking disciplinary action against the licensee or any such ground."

4 9. Section 125.3, subdivision (a), states, in pertinent part:

5 "Except as otherwise provided by law, in any order issued in resolution of a
6 disciplinary proceeding before any board within the department ... the board may request the
7 administrative law judge to direct a licensee found to have committed a violation or
8 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
9 investigation and enforcement of the case."

10 CONTROLLED SUBSTANCE

11 10. "MORPHINE" is a schedule II controlled substance pursuant to Health
12 and Safety Code section 11055(b)(1)(M) and a dangerous drug pursuant to Business and
13 Professions Code section 4022.

14 CAUSE FOR DISCIPLINE

15 (Unprofessional Conduct)

16 11. Respondent's registered nurse license is subject to discipline under
17 section 2761(a) of the Code in that on or about November 21, 2000 at approximately
18 11:28 a.m., Respondent entered Antelope Valley Hospital in Lancaster without proper
19 permission or authority and knowledge of the patient's present medical status and refilled
20 patient, L.J.M.'s morphine pump, without assessing if she had received other pain medication
21 and without documenting the refill in the patient's chart or in any other hospital record.

22 PRAYER

23 WHEREFORE, Complainant requests that a hearing be held on the matters
24 herein alleged, and that following the hearing, the Board of Registered Nursing issue a
25 decision:

26 1. Revoking or suspending Registered Nursing License No. 469618,
27 issued to Jolynn Marie Pedikis.

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1 2. Ordering Jolynn Marie Perdakis, aka Jolynn Marie McCartin and Jolynn
2 Marie Leja to pay the Board of Registered Nursing the reasonable costs of the investigation
3 and enforcement of this case, pursuant to Business and Professions Code section 125.3;

4 3. Taking such other and further action as deemed necessary and proper.

5 DATED: 6/17/03

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RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant